UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

GERALDINE KELLY,

Plaintiff,

v. **Case No: 8:18-CV-424-T-27JSS**

LEE COUNTY R.V. SALES COMPANY, a Florida Corporation d/b/a NORTH TRAIL RV CENTER, a Florida Domestic Profit Corporation, and NEWMAR CORPORATION, a Foreign Corporation for Profit,

Defendants.
_____/

ORDER

BEFORE THE COURT is the Report and Recommendation of the Magistrate Judge recommending that Defendants' Motion for Entitlement to Recover Costs and Attorney's Fees Against Plaintiff be denied without prejudice (Dkt. 76). No party filed objections and the time for doing so has expired. After consideration of the Report and Recommendation, in conjunction with an independent examination of the file, the Court is of the opinion that the Report and Recommendation should be adopted, confirmed, and approved in all respects. Accordingly, it is

ORDERED AND ADJUDGED:

1. The Report and Recommendation (Dkt. 76) is adopted, confirmed, and approved in all respects.
2. Defendants' Motion for Entitlement to Recover Costs and Attorney's Fees Against Plaintiff (Dkt. 71) is **DENIED without prejudice,** with leave to re-file within 30 days of the mandate in Plaintiff's appeal.

DONE AND ORDERED this 6th **day of January, 2020.**

JAMES D. WHITTEMORE
United States District Judge

Copies to: Counsel of Record